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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-09-102 VRW
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER RESCHEDULING DATE FOR
vs.)	TRIAL SETTING OR CHANGE OF
)	PLEA AND EXCLUDING TIME FROM
)	AUGUST 12, 2010 TO OCTOBER 28, 2010
ROMMELL BORJAS-ALFARO)	
)	Current Date: August 12, 2010, at 2:00 p.m.
Defendants.)	Proposed Date: October 28, 2010, at 2:00 p.m.
)	

1. The parties are scheduled to appear before the Court on August 12, 2010, for defendant Rommell Borjas-Alfaro's trial setting or change of plea. The parties now represent that they need additional time to discuss a proposed disposition. The United States produced a significant amount of discovery in this case, and defense counsel needs additional time to review it. The parties request that the Court continue the matter to October 28, 2010, at 2:00 p.m. for trial setting or change of plea. The parties request that the time be excluded under the Speedy Trial Act from August 12, 2010, to October 28, 2010, because defense counsel needs that time to review discovery and conduct necessary investigation.

2. The parties represent that the requested continuance is the reasonable time

1 necessary for effective preparation of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv). The
 2 parties also agree that the ends of justice served by granting such a continuance outweigh the best
 3 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

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 5 IT IS SO STIPULATED.

6 8/11/10

/s/

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 DATED

 TAREK HELOU

Assistant United States Attorney

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 10 8/11/10

/s/

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 DATED

 RITA BOSWORTH

Counsel for Mr. Borjas

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 14 Based upon the representation of counsel and for good cause shown, the Court finds that
 15 failing to exclude the time from August 12, 2010, through October 28, 2010, would unreasonably
 16 deny the defendant and defense counsel the reasonable time necessary for effective preparation,
 17 taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court
 18 further finds that the ends of justice served by excluding the time from June 24, 2010 through
 19 August 12, 2010 from computation under the Speedy Trial Act outweigh the best interests of the
 20 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

21 IT IS HEREBY ORDERED that the current court date of August 12, 2010, in this case is
 22 vacated and the next hearing shall be set on October 28, 2010, at 2:00 p.m.


23 IT IS FURTHER ORDERED that the time between August 12, 2010, to October 28,
 24 2010, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. §
 25 3161(h)(7)(A) and (B)(iv).
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1 IT IS SO ORDERED.

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3 August 11, 2010

4 DATED

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VAUGHN R. WALKER
Chief United States District Judge